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Total Number of Pages in This Submission

3

Application Number

10/823,235

Filing Date

April 13, 2004

First Named Inventor

Pytki, Russell J.

Art Unit

3634

Examiner Name

Johnson, Blair M.

Attorney Docket Number

A202 1441.2

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Notification of Litigation Proceedings Pursuant to MPEP 2001.06(c); Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Womble Carlyle Sandridge & Rice, PLLC		
Signature			
Printed name	Keats A. Quinalty		
Date	August 18, 2005	Reg. No.	46,426

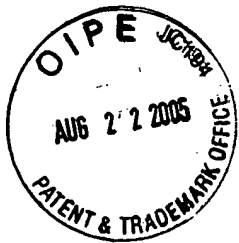
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
 PYLKKI et al.)
)
 Serial No.: **10/823,235**)
)
 Filed: **April 13, 2004**)
)
 For: **REDUCED VISIBILITY INSECT**)
 SCREEN)

Examiner: **Johnson, Blair M**
Art Unit: **3634**
Docket No.: **A202 1441.2**

NOTIFICATION OF LITIGATION PROCEEDINGS PURSUANT TO MPEP 2001.06(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to MPEP § 2001.06(c), Applicants hereby notify the Office that the subject matter of the above-identified patent application is involved in a pending litigation styled *Andersen Corporation v. Pella Corporation and W. L. Gore & Associates, Inc.* That litigation concerns U.S. Patent No. 6,880,612, to which the present application is related.

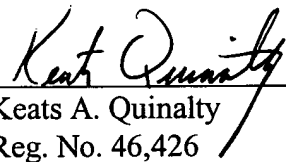
Applicants will provide under separate cover an Information Disclosure Statement identifying material information as required by 2001.06(c), including:

Examples of such material information include evidence of possible prior public use or sales, questions of inventorship, prior art, allegations of "fraud," "inequitable conduct," and "violation of duty of disclosure." Another example of such material information is any assertion that is made during litigation which is contradictory to assertions made to the examiner. *Environ Prods., Inc. v. Total Containment, Inc.*, 43 USPQ2d 1288, 1291 (E.D. Pa. 1997). Such information might arise during litigation in, for example, pleadings, admissions, discovery including interrogatories, depositions, and other documents and testimony.

Applicants are submitting this Notification and any documentation or information provided together herewith or subsequent hereto, without admitting materiality of any part of such documentation or information. Applicants respectfully request that the Examiner carefully review this Notification and any cited materials without reliance on any characterization provided by the undersigned, and that the Examiner immediately inform the undersigned if the Examiner wishes to see or discuss any additional information or documentation, other than that provided. The undersigned is, or will be, in possession of a voluminous amount of documents, including pleadings, deposition testimony, discovery, rulings, and judgments, and does not wish to burden unnecessarily the Examiner. Accordingly, the undersigned stands ready to provide the Examiner any and all additional materials and/or information that may be deemed appropriate by the Examiner.

Respectfully submitted,

Date: August 18, 2005



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